

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHARLENE ALVAREZ,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. C13-940-JLR-JPD

REPORT AND RECOMMENDATION

Plaintiff, proceeding *pro se*, has filed an application to proceed *in forma pauperis* (“IFP”) and a proposed complaint in the above-entitled action. Dkt. 1; Dkt. 1-1. On June 4, 2013, the Court denied plaintiff’s application because she failed to date and sign the declaration, and granted plaintiff leave to amend within thirty days. Dkt. 2. Although the Clerk of the Court mailed a copy of the Court’s Order to plaintiff, this mail was returned to the Court by the U.S. Postal Service as undeliverable on June 17, 2013. Dkt. 3.

On August 22, 2013, plaintiff advised the Court by telephone of her correct mailing address, and the Clerk’s Office mailed plaintiff a copy of the Court’s June 4, 2013 Order, IFP form, and *pro se* instruction sheet. In addition, the Court entered an Order Directing Plaintiff

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1 to Correct IFP Deficiencies on August 30, 2013, which advised plaintiff that she has thirty
2 days to file a new and complete IFP application, or else this case may be subject to dismissal.
3 Dkt. 5. Plaintiff's mail was once again returned to the Court as undeliverable on September 4,
4 2013, because plaintiff's mailing address had apparently not been updated accurately on the
5 docket following plaintiff's August 22, 2013 phone call to the Clerk's Office. Dkt. 6.

6 On September 6, 2013, plaintiff's address was corrected, and all documents were re-
7 sent to plaintiff. This mail presumably reached the plaintiff, as it was not returned to the Court
8 by the U.S. Postal Service. To date, however, plaintiff has failed to file a corrected IFP
9 application, pay the applicable filing fee, or otherwise respond to the Court's August 30, 2013
10 Order Directed Plaintiff to Correct IFP Deficiencies within thirty days. Accordingly, the Court
11 recommends that this action be DISMISSED without prejudice for failure to prosecute.
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13 A proposed order accompanies this Report and Recommendation.
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15 DATED this 15th day of November, 2013.

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17 JAMES P. DONOHUE
18 United States Magistrate Judge
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